



ORIGINAL

alford

Federal Communications Commission
Washington, D.C. 20554
August 28, 1998

In Reply Refer to
2000F/PJD

EX PARTE OR LATE FILED

RECEIVED

SEP 24 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Chip Prather, Fire Chief
Orange County Fire Authority
180 South Water Street
Orange California 92866-2175

Dear Chief Prather:

This is in response to your letter dated July 17, 1998, to Chairman William Kennard on behalf of the Orange County Fire Authority regarding WT Docket No. 96-86. Your letter expresses support for a regional planning approach to spectrum planning for the 24 megahertz of radio spectrum recently allocated for public safety services. Specifically, you note that it is critical for local government agencies to have full participation in the planning process with standing equal to state governments.

On August 6, 1998, the Commission adopted service rules to implement the reallocation of the 24 megahertz of spectrum made available to the Public Safety Community pursuant to the Congressional mandate contained in the Balanced Budget Act of 1997. We are enclosing a news release summarizing the Commission's action in its *First Report and Order* and *Third Notice of Proposed Rulemaking*, WT Docket No. 96-86.

Briefly, the Commission will continue to rely on a Regional Planning Committee process for planning use of 12.6 megahertz of the new spectrum, but allow a degree of flexibility for reformation of Regional Planning Committee boundaries. In the *Third Notice*, the Commission seeks comment on whether some or all of 8.8 megahertz of the new spectrum should be licensed directly to each state for deployment of statewide systems or given to the Regional Planning Committees along with the 12.6 megahertz of general use spectrum designated in the *First Report and Order*.

The Commission is acutely aware of the important role played by public safety communications in protecting life and property. I can assure you that the Commission and this Division are committed to continuing our efforts to see that the critical needs for the spectrum required for this role are met. We have entered your letter into the record of WT Docket No. 96-96.

Thank you for your interest in this matter.

Sincerely,

for D'wana R. Terry

Chief, Public Safety and Private Wireless Division
Wireless Telecommunications Bureau

Enclosure

No. of Copies rec'd 2

List A B C D E

[[Text Version](#) | [WordPerfect Version](#)]



NEWS

Federal Communications Commission
1919 - M Street, N.W.
Washington, D.C. 20554

News media information 202 / 418-0500
Fax-On-Demand 202 / 418-2830
Internet: <http://www.fcc.gov>
<ftp.fcc.gov>

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See *MCI v. FCC*, 515 F.2d 385 (D.C. Circ 1974).

Report No. WT
98-24

WIRELESS TELECOMMUNICATIONS
ACTION

August 6, 1998

FCC ADOPTS RULES FOR LICENSING LARGEST BLOCK OF PUBLIC SAFETY RADIO SPECTRUM EVER ALLOCATED

(WT DOCKET 96-86)

Today the Commission adopted rules for licensing the largest block of spectrum ever allocated at one time for public safety services. In a document that includes both a First Report and Order (*First Report*) and a Third Notice of Proposed Rulemaking (*Third Notice*), the Commission establishes service rules for licensing 24 megahertz (MHz) of spectrum in the 764-806 MHz band (referred to as the 700 MHz band), establishes a band plan for use of this spectrum, seeks comment on how to license the remaining portion of the public safety spectrum (8.8 MHz) and on additional proposals to implement effective public safety nationwide interoperability. The *First Report* also announces the Commission's plan to establish a National Coordination Committee that will seek accreditation from the American National Standards Institute (ANSI) and be charged with, among other things, developing national standards for operation and use of the spectrum allocated for nationwide interoperability.

This 24 MHz of spectrum, recently reallocated for public safety use from TV Channels 63, 64, 68 and 69 in the broadcast service, doubles the amount of spectrum available nationally for state and local public safety communications. By this action, the Commission addresses an urgent need for additional public safety radio spectrum, and also designates spectrum to support nationwide interoperability among local, state, and federal entities.

Entities eligible for licensing in this new public safety spectrum in the 700 MHz band include state and local governments and non-governmental organizations specifically authorized by appropriate state or local agencies. In compliance with statutory requirements, federal entities will not be eligible to be licensed in this spectrum, but will have access to the nationwide interoperability channels.

In the rules adopted in the *First Report*, this spectrum is channelized into narrowband and wideband channels that will accommodate voice, data, image, high speed data and video transmissions. From the 24 MHz of spectrum in the 700 MHz band, the Commission designates 12.6 MHz for general use and 2.6 MHz for nationwide interoperability purposes among all public safety agencies. In addition, in the *Third Notice*, the Commission seeks comment on how to license the remaining 8.8 MHz.

In the *First Report*, the Commission announces that it will establish a National Coordination Committee under the Federal Advisory Committee Act (FACA) to provide a national

structure to establish standards for coordinated spectrum use, particularly for interoperability purposes. The major responsibilities of this Committee will be to: (1) formulate a national interoperability plan for Commission review and approval; (2) develop standards pursuant to ANSI guidelines for the interoperability channels, including potentially standards for digital modulation and trunking; (3) provide voluntary assistance in the development of coordinated regional plans; and (4) provide recommendations to the Commission on technical matters that are common to the public safety community as a whole.

Other provisions adopted in the *First Report* include: (1) continuing to rely on the Regional Planning Committee process for planning use of approximately one half of the 24 MHz, but allowing a degree of flexibility for reformation of Regional Planning Committee boundaries; (2) giving Regional Planning Committees the responsibility for developing plans for the efficient and effective use of the 12.6 MHz of general use spectrum in this band; (3) adopting plans for technical standards providing the minimum necessary constraints that meet reasonable goals for nationwide interoperability, spectrum use efficiency and interference protection; (4) designating the four certified public safety frequency coordinators as eligible to provide frequency coordination in the 700 MHz band in order to provide competition among coordinators and market incentives for lower coordination fees and quality service; (5) protecting analog TV and DTV stations from harmful interference; and (6) requiring that licensees authorized to operate within 75 miles of the Canadian and Mexican borders be subject to the condition that no interference is caused to television reception in those countries and that their authorization also be subject to any further conditions imposed by final agreements or treaties concluded between the United States and those countries.

In the *Third Notice*, the Commission seeks comment on how to license the remaining 8.8 MHz. Specifically the Commission asks whether some or all of the 8.8 MHz should be licensed directly to each state for deployment of statewide systems, or whether it should be given to the Regional Planning Committees along with the 12.6 MHz general use spectrum addressed in the *First Report*. The *Third Notice* also seeks comments on any alternative proposals for use and licensing of the 8.8 MHz. In addition, the *Third Notice* seeks comment on whether to permit each state to administer the nationwide interoperability frequencies (2.6 MHz of spectrum) pursuant to the national interoperability plan to be established by the National Coordination Committee. Lastly, the *Third Notice* proposes and seeks comment on: (1) designating five interoperability channels in existing public safety bands below 512 MHz, including the 150-174 and the 450-512 MHz bands; (2) whether channels in the 138-144 MHz bands should be designated for public safety use generally, and interoperability use specifically (a future proceeding will address permanent use of these channels); (3) redesignating three frequency pairs in the 156-162 MHz band for interoperability in 33 Economic Areas that are now available for public safety use; and (4) establishing technical solutions to address possible interference problems to global navigation satellite systems.

Actions by the Commission, August 6, 1998, by *First Report and Order and Third Notice of Proposed Rulemaking* (FCC 98-191). Commissioners

-FCC-

News Media contact: Meribeth McCarrick at 202-418-0654
Wireless Telecommunications Bureau contact: John Clark at (202) 418-0680

CHAIRMAN'S CORRESPONDENCE TRACKING SYSTEM

08/10/98

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP
98-0281	07/27/98	07/17/98

AUTHOR'S NAME	COMPANY NAME
CHIP PRATHER	ORANGE COUNTY FIRE AUTHORITY

SUBJECT: WT DOCKET 96-86

SIGNATURE	REF TO	DATE REF	DATE DUE
BC	WTB	08/07/1998 8/10/98	08/28/1998 8/31/98
REF TO	REF TO	REF TO	REF TO

DATE	DATE	DATE	DATE

REMARKS:

PS PWD
— put in
DOCKET

980281



ORANGE COUNTY FIRE AUTHORITY

PO Box 86, Orange, CA 92856-0086

180 South Water St., Orange, CA 92866-2175

Chip Prather, Fire Chief

(714) 744-0400

July 17, 1998

The Honorable William Kennard
Chairman, Federal Communications Commission
1919 M Street N.W.
Washington, D.C. 20554

RE: WT Docket 96-86

Dear Mr. Chairman:

I understand that the FCC is about to issue rules regarding spectrum planning for the 24 MHz of spectrum recently allocated for public safety use. The Orange County Fire Authority is a multifaceted agency, providing fire and emergency medical services within the County of Orange. Our service area covers approximately 420 square miles, 19 contract cities, the unincorporated areas of Orange County and a population of over 1.2 million people. Our service areas and method by which we provide service have been based on the regional concept, to insure the public safety.

We strongly support proposals that the Commission use a regional planning approach rather than state-controlled spectrum planning. Public safety frequency planning works best when it reflects population centers, as radio frequency propagation does not honor state boundaries. Moreover, it is critical that local government agencies, which provide the majority of public safety services, have full participation and equal standing in the planning process.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chip Prather".

Chip Prather, Fire Chief
Orange County Fire Authority

CP/cm

RECEIVED
JUL 27 5 57 PM '98
OFFICE